

**IN THE CLAIMS:**

The following list of claims replaces all prior versions and claim listings:

1. (Currently Amended) A device for applying a product, the device comprising:

- a receptacle body defining a reservoir configured to contain a product;
- an application element configured to apply a product to a surface;
- a cavity in flow communication with the reservoir and configured to receive the application element; and
- a support element on which the application element is mounted,

wherein the support element is mounted to pivot relative to the receptacle body between a first position wherein the application element is received in the cavity and a second position wherein the application element is at least partially exposed so as to be capable of coming into contact with a surface to which product is to be applied, and

wherein the application element is configured to apply product to at least one of skin, hair, toenails, and fingernails and/or wherein the reservoir contains a product chosen from at least one of a skin product, a hair product, a toenail product and/or a fingernail product.

2. (Original) The device of claim 1, wherein the receptacle body is configured to be used as a handle for holding the device during application of product to the surface.

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3. (Original) The device of claim 1, wherein the support element is configured to close the cavity when the support element is in the first position.

4. (Original) The device of claim 1, wherein the support element is configured to hermetically seal the cavity when the support element is in the first position.

5. (Original) The device of claim 4, further comprising a sealing member configured to provide the hermetic sealing when the support element is in the first position.

6. (Original) The device of claim 1, wherein the support element is configured to pivot over an angle of at least approximately 120 degrees.

7. (Currently Amended) A [[The]] device of claim 1, for applying a product, the device comprising:

a receptacle body defining a reservoir configured to contain a product;

an application element configured to apply a product to a surface;

a cavity in flow communication with the reservoir and configured to receive the application element; and

a support element on which the application element is mounted,

wherein the support element is mounted to pivot relative to the receptacle body between a first position wherein the application element is received in the

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cavity and a second position wherein the application element is at least partially exposed so as to be capable of coming into contact with a surface to which product is to be applied, and

wherein the application element is made of a compressible material.

8. (Original) The device of claim 7, wherein the application element is configured to be in a compressed configuration when the support element is in the first position.

9. (Original) The device of claim 7, wherein the application element is configured to be in an uncompressed configuration when the support element is in the first position.

10. (Currently Amended) A [[The]] device of claim 1, for applying a product, the device comprising:

a receptacle body defining a reservoir configured to contain a product;

an application element configured to apply a product to a surface;

a cavity in flow communication with the reservoir and configured to receive the application element; and

a support element on which the application element is mounted,

wherein the support element is mounted to pivot relative to the receptacle body between a first position wherein the application element is received in the cavity and a second position wherein the application element is at least partially

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exposed so as to be capable of coming into contact with a surface to which product is to be applied, and

wherein the application element is made of a sintered material.

11. (Original) The device of claim 1, further comprising a hinge member associated with the support element, the support element being configured to pivot about the hinge member.

12. (Original) The device of claim 11, wherein the hinge member comprises a film hinge.

13. (Original) The device of claim 11, further comprising a head portion associated with the receptacle body, wherein the hinge member connects the support element to the head portion.

14. (Original) The device of claim 11, wherein the hinge member connects the support element to the receptacle body.

15. (Original) The device of claim 11, wherein the hinge member comprises at least one pivot configured to pivot in a housing.

16. (Original) The device of claim 11, wherein the hinge member is configured to snap-fasten to one of the support element and the receptacle body.

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17. (Original) The device of claim 11, wherein the hinge member is spring-biased.

18. (Original) The device of claim 1, wherein the receptacle body is made of a relatively flexible material.

19. (Original) The device of claim 1, wherein the receptacle body is made of a relatively rigid material.

20. (Original) The device of claim 1, further comprising a securing mechanism for securing the support element in the first position.

21. (Original) The device of claim 20, wherein the securing mechanism comprises a snap-fastener.

22. (Original) The device of claim 1, further comprising a securing mechanism for securing the support element in the second position.

23. (Original) The device of claim 22, wherein the securing mechanism comprises a snap-fastener.

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24. (Original) The device of claim 1, wherein a longitudinal axis of the cavity is substantially parallel to a longitudinal axis of the receptacle body.

25. (Original) The device of claim 24, wherein the longitudinal axis of the cavity is substantially coincident with the longitudinal axis of the receptacle body.

26. (Original) The device of claim 1, wherein a longitudinal axis of the cavity is at an angle relative to the longitudinal axis of the receptacle body.

27. (Original) The device of claim 26, wherein the longitudinal axis of the cavity is substantially perpendicular to the longitudinal axis of the receptacle body.

28. (Original) The device of claim 1, wherein the device is configured such that flow of a product from the reservoir into the cavity is along a direction that is substantially perpendicular to an axis about which the support element is configured to pivot.

29. (Original) The device of claim 1, wherein a longitudinal axis of the application element is substantially parallel to a longitudinal axis of the receptacle body when the support element is in the second position.

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30. (Original) The device of claim 1, wherein a longitudinal axis of the application element forms a non-zero angle with a longitudinal axis of the receptacle body when the support element is in the second position.

31. (Original) The device of claim 1, wherein the support element is configured to pivot through an angle of at least approximately 210 degrees when the support element is moved from the first position to the second position.

32. (Original) The device of claim 1, wherein the cavity is defined at least partially by a wall defining at least one opening.

33. (Original) The device of claim 32, wherein the at least one opening provides the flow communication between the cavity and the reservoir.

34. (Original) The device of claim 32, wherein the at least one opening comprises a plurality of openings.

35. (Original) The device of claim 32, wherein the at least one opening comprises at least one capillary opening.

36. (Original) The device of claim 35, wherein the application element is compressible and the device is configured such that product flows through the at least one opening during expansion of the application element from a compressed

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configuration to an uncompressed configuration when the support element moves from the first position to the second position.

37. (Original) The device of claim 1, further comprising a product in the reservoir.

38. (Original) The device of claim 37, wherein the product is chosen from a cosmetic product and a care product.

39. (Original) The device of claim 4, wherein the support element is configured to pivot over an angle of at least approximately 180 degrees.

40. (Original) The device of claim 1, further comprising a head portion associated with the receptacle body, the head portion defining the cavity.

41. (Original) The device of claim 40, wherein the head portion defines an internal passage configured to place the cavity in flow communication with the reservoir.

42. (Original) The device of claim 40, wherein the receptacle body comprises a neck portion and the head portion is configured to engage with the neck portion.

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43. (Original) The device of claim 40, wherein the head portion and the receptacle body are formed as a single piece.

44. (Original) The device of claim 40, wherein the head portion is removably attached to the receptacle body.

45. (Original) A method of applying a product to a surface, the method comprising:

providing the device of claim 1;

flowing a product toward the cavity to place the product in contact with at least a portion of the application element positioned in the cavity so as to load at least a portion of the application element with the product;

placing the support element in the second position; and

placing at least the loaded portion of the application element in contact with a surface so as to apply product to the surface.

46. (Original) The method of claim 45, wherein the placing of the support element in the second position comprises pivoting the support element relative to the receptacle body.

47. (Original) The method of claim 45, wherein the placing of the application element in contact with the surface comprises holding the receptacle body.

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48. (Original) The method of claim 45, wherein the placing of the support element in the second position comprises securing the support element in the second position.

49. (Original) The method of claim 45, wherein the flowing of the product toward the cavity comprises exerting pressure on an outside of the receptacle body.

50. (Original) The method of claim 45, wherein the application element is compressible and the flowing of the product toward the cavity comprises permitting the application element to expand from a compressed configuration to an uncompressed configuration.

51. (Original) The method of claim 45, further comprising placing the support element in the first position after the product has been applied to the surface.

52. (Original) The method of claim 51, wherein the placing of the support element in the first position comprises securing the support element in the first position.

53. (Original) The method of claim 52, wherein the securing of the support element in the first position comprises snap-fastening the support element relative to the receptacle body.

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54. (Original) The method of claim 45, wherein the flowing of the product toward the cavity comprises flowing the product through at least one opening defined in a wall defining the cavity.

55. (Original) The method of claim 45, wherein the product is chosen from a cosmetic product and a care product.

56. (Original) The method of claim 45, wherein the placing of the application element in contact with the surface comprises placing the application element in contact with at least one of skin, hair, at least one toenail, and at least one fingernail.

57. (Currently Amended) A device for applying a product, the device comprising:

a receptacle body defining a reservoir configured to contain a product;

an application element configured to apply a product to a surface;

a cavity in flow communication with the reservoir and configured to receive an application element; and

a support element on which the application element is mounted,

wherein the support element is mounted to move between a first position wherein the application element is received in the cavity and a second position wherein the application element is at least partially exposed so as to be capable of coming into contact with a surface to which product is to be applied, [[and]]

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wherein the receptacle body is configured to be used as a handle portion for holding the device during application of product to the surface when the support element is in the second position, and

wherein the application element is configured to apply product to at least one of skin, hair, toenails, and fingernails and/or wherein the reservoir contains a product chosen from at least one of a skin product, a hair product, a toenail product and/or a fingernail product.

58. (Original) The device of claim 57, wherein the support element is configured to close the cavity when the support element is in the first position.

59. (Original) The device of claim 57, wherein the support element is configured to hermetically seal the cavity when the support element is in the first position.

60. (Original) The device of claim 59, further comprising a sealing member configured to provide the hermetic sealing when the support element is in the first position.

61. (Original) The device of claim 57, wherein the support element is configured to pivot over an angle of at least approximately 120 degrees during movement of the support element between the first position and the second position.

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62. (Currently Amended) A [[The]] device of claim 57, for applying a product, the device comprising:

a receptacle body defining a reservoir configured to contain a product;

an application element configured to apply a product to a surface;

a cavity in flow communication with the reservoir and configured to receive an application element; and

a support element on which the application element is mounted,

wherein the support element is mounted to move between a first position wherein the application element is received in the cavity and a second position wherein the application element is at least partially exposed so as to be capable of coming into contact with a surface to which product is to be applied,

wherein the receptacle body is configured to be used as a handle portion for holding the device during application of product to the surface when the support element is in the second position, and

wherein the application element is made of a compressible material.

63. (Original) The device of claim 62, wherein the application element is configured to be in a compressed configuration when the support element is in the first position.

64. (Original) The device of claim 62, wherein the application element is configured to be in an uncompressed configuration when the support element is in the first position.

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65. (Currently Amended) A [[The]] device of claim 57, for applying a product, the device comprising:

a receptacle body defining a reservoir configured to contain a product;

an application element configured to apply a product to a surface;

a cavity in flow communication with the reservoir and configured to receive an application element; and

a support element on which the application element is mounted,

wherein the support element is mounted to move between a first position wherein the application element is received in the cavity and a second position wherein the application element is at least partially exposed so as to be capable of coming into contact with a surface to which product is to be applied,

wherein the receptacle body is configured to be used as a handle portion for holding the device during application of product to the surface when the support element is in the second position, and

wherein the application element is made of a sintered material.

66. (Original) The device of claim 57, further comprising a hinge member associated with the support element, the support element being configured to pivot about the hinge member.

67. (Original) The device of claim 66, wherein the hinge member comprises a film hinge.

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68. (Original) The device of claim 66, further comprising a head portion associated with the receptacle body, wherein the hinge member connects the support element to the head portion.

69. (Original) The device of claim 66, wherein the hinge member connects the support element to the receptacle body.

70. (Original) The device of claim 66, wherein the hinge member comprises at least one pivot configured to pivot within a housing.

71. (Original) The device of claim 66, wherein the hinge member is configured to snap-fasten to one of the support element and the receptacle body.

72. (Original) The device of claim 66, wherein the hinge member is spring-biased.

73. (Original) The device of claim 57, wherein the receptacle body is made of a relatively flexible material.

74. (Original) The device of claim 57, wherein the receptacle body is made of a relatively rigid material.

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75. (Original) The device of claim 57, further comprising a securing mechanism for securing the support element in the first position.

76. (Original) The device of claim 75, wherein the securing mechanism comprises a snap-fastener.

77. (Original) The device of claim 57, further comprising a securing mechanism for securing the support element in the second position.

78. (Original) The device of claim 77, wherein the securing mechanism comprises a snap-fastener.

79. (Original) The device of claim 57, wherein a longitudinal axis of the cavity is substantially parallel to a longitudinal axis of the receptacle body.

80. (Original) The device of claim 79, wherein the longitudinal axis of the cavity is substantially coincident with the longitudinal axis of the receptacle body.

81. (Original) The device of claim 57, wherein a longitudinal axis of the cavity is at an angle relative to the longitudinal axis of the receptacle body.

82. (Original) The device of claim 81, wherein the longitudinal axis of the cavity is substantially perpendicular to the longitudinal axis of the receptacle body.

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83. (Original) The device of claim 57, wherein the device is configured such that flow of a product from the reservoir into the cavity is along a direction that is substantially perpendicular to an axis about which the support element is configured to move relative to the receptacle body.

84. (Original) The device of claim 57, wherein a longitudinal axis of the application element is substantially parallel to a longitudinal axis of the receptacle body when the support element is in the second position.

*A*  
85. (Original) The device of claim 57, wherein a longitudinal axis of the application element forms a non-zero angle with a longitudinal axis of the receptacle body when the support element is in the second position.

86. (Original) The device of claim 57, wherein the support element is configured to pivot through an angle of at least approximately 210 degrees when the support element is moved from the first position to the second position.

87. (Original) The device of claim 57, wherein the cavity is defined at least partially by a wall defining at least one opening.

88. (Original) The device of claim 87, wherein the at least one opening provides the flow communication between the cavity and the reservoir.

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89. (Original) The device of claim 87, wherein the at least one opening comprises a plurality of openings.

90. (Original) The device of claim 87, wherein the at least one opening comprises at least one capillary opening.

91. (Original) The device of claim 90, wherein the application element is compressible and the device is configured such that product flows through the at least one opening and during expansion of the application element from a compressed configuration to an uncompressed configuration when the support element moves from the first position to the second position.

92. (Original) The device of claim 57, further comprising a product in the reservoir.

93. (Original) The device of claim 92, wherein the product is chosen from a cosmetic product and a care product.

94. (Original) The device of claim 57, further comprising a head portion associated with the receptacle body, the head portion defining the cavity.

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95. (Original) The device of claim 94, wherein the head portion defines an internal passage configured to place the cavity in flow communication with the reservoir.

96. (Original) The device of claim 94, wherein the receptacle body comprises a neck portion and the head portion is configured to engage with the neck portion.

97. (Original) The device of claim 94, wherein the head portion and the receptacle body are formed as a single piece.

98. (Original) The device of claim 94, wherein the head portion is removably attached to the receptacle body.

99. (Original) A method of applying a product to a surface:  
providing the device of claim 57;  
flowing a product toward the cavity to place product in contact with at least a portion of the application element positioned in the cavity so as to load said at least a portion of the application element with the product;  
placing the support element in the second position; and  
placing at least the loaded portion of the application element in contact with a surface so as to apply product to the surface.

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100. (Original) The method of claim 99, wherein the placing of the support element in the second position comprises pivoting the support element relative to the receptacle body.

101. (Original) The method of claim 99, wherein the placing of the application element in contact with the surface comprises holding the receptacle body.

102. (Original) The method of claim 99, wherein the placing of the support element in the second position comprises securing the support element in the second position.

103. (Original) The method of claim 99, wherein the flowing of the product from toward the cavity comprises exerting pressure on an outside of the receptacle body.

104. (Original) The method of claim 99, wherein the application element is compressible and the flowing of the product toward the cavity comprises permitting the application element to expand from a compressed configuration to an uncompressed configuration.

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105. (Original) The method of claim 99, further comprising placing the support element in the first position after the product has been applied to the surface.

106. (Original) The method of claim 105, wherein the placing of the support element in the first position comprises securing the support element in the first position.

107. (Original) The method of claim 106, wherein the securing of the support element in the first position comprises snap-fastening the support element relative to the receptacle body.

A. 108. (Original) The method of claim 99, wherein the flowing of the product toward the cavity comprises flowing the product through at least one opening defined in a wall defining the cavity.

109. (Original) The method of claim 99, wherein the product is chosen from a cosmetic product and a care product.

110. (Original) The method of claim 99, wherein the placing of the application element in contact with the surface comprises placing the application element in contact with at least one of skin, hair, at least one toenail, and at least one fingernail.

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111. (Currently Amended) A device for applying a product, the device comprising:

a receptacle body defining a reservoir configured to contain a product;

an application element configured to apply a product;

a cavity in flow communication with the reservoir and configured to receive the application element; and

a support element on which the application element is mounted, the support element being connected to the receptacle body,

wherein the support element is mounted to move between a first position wherein the application element is received in the cavity and a second position wherein the application element is at least partially exposed so as to be capable of coming into contact with a surface to which product is to be applied, [[and]]

wherein the support element is configured to remain connected to the receptacle body in the second position, and

wherein the application element is configured to apply product to at least one of skin, hair, toenails, and fingernails and/or wherein the reservoir contains a product chosen from at least one of a skin product, a hair product, a toenail product and/or a fingernail product.

112. (Original) The device of claim 111, wherein the receptacle body is configured to be used as a handle for holding the device during application of product to a surface.

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113. (Original) The device of claim 111, wherein the support element is configured to close the cavity when the support element is in the first position.

114. (Original) The device of claim 111, wherein the support element is configured to hermetically seal the cavity when the support element is in the first position.

115. (Original) The device of claim 114, further comprising a sealing member configured to provide the hermetic sealing when the support element is in the first position.

116. (Original) The device of claim 111, wherein the support element is configured to pivot between the first position and the second position.

117. (Currently Amended) A [[The]] device of claim 111, for applying a product, the device comprising:

a receptacle body defining a reservoir configured to contain a product;

an application element configured to apply a product;

a cavity in flow communication with the reservoir and configured to receive the application element; and

a support element on which the application element is mounted, the support element being connected to the receptacle body,

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wherein the support element is mounted to move between a first position wherein the application element is received in the cavity and a second position wherein the application element is at least partially exposed so as to be capable of coming into contact with a surface to which product is to be applied,

wherein the support element is configured to remain connected to the receptacle body in the second position, and

wherein the application element is made of a compressible material.

118. (Original) The device of claim 117, wherein the application element is configured to be in a compressed configuration when the support element is in the first position.

119. (Original) The device of claim 117, wherein the application element is configured to be in an uncompressed configuration when the support element is in the first position.

120. (Currently Amended) A [[The]] device of claim 111, for applying a product, the device comprising:

a receptacle body defining a reservoir configured to contain a product;

an application element configured to apply a product;

a cavity in flow communication with the reservoir and configured to receive the application element; and

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a support element on which the application element is mounted, the support element being connected to the receptacle body,

wherein the support element is mounted to move between a first position wherein the application element is received in the cavity and a second position wherein the application element is at least partially exposed so as to be capable of coming into contact with a surface to which product is to be applied,

wherein the support element is configured to remain connected to the receptacle body in the second position, and

wherein the application element is made of a sintered material.

A. 121. (Original) The device of claim 111, further comprising a hinge member associated with the support element, the support element being configured to pivot about the hinge member.

122. (Original) The device of claim 121, wherein the hinge member comprises a film hinge.

123. (Original) The device of claim 121, further comprising a head portion associated with the receptacle body, wherein the hinge member connects the support element to the head portion.

124. (Original) The device of claim 121, wherein the hinge member connects the support element to the receptacle body.

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125. (Original) The device of claim 121, wherein the hinge member comprises at least one pivot configured to pivot within a housing.

126. (Original) The device of claim 121, wherein the hinge member is configured to snap-fasten to one of the support element and the receptacle body.

127. (Original) The device of claim 121, wherein the hinge member is spring-biased.

128. (Original) The device of claim 111, wherein the receptacle body is made of a relatively flexible material.

A. 129. (Original) The device of claim 111, wherein the receptacle body is made of a relatively rigid material.

130. (Original) The device of claim 111, further comprising a securing mechanism for securing the support element in the first position.

131. (Original) The device of claim 130, wherein the securing mechanism comprises a snap-fastener.

132. (Original) The device of claim 111, further comprising a securing mechanism for securing the support element in the second position.

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133. (Original) The device of claim 132, wherein the securing mechanism comprises a snap-fastener.

134. (Original) The device of claim 111, wherein a longitudinal axis of the cavity is substantially parallel to a longitudinal axis of the receptacle body.

135. (Original) The device of claim 134, wherein the longitudinal axis of the cavity is substantially coincident with the longitudinal axis of the receptacle body.

136. (Original) The device of claim 111, wherein a longitudinal axis of the cavity is at an angle relative to the longitudinal axis of the receptacle body.

137. (Original) The device of claim 136, wherein the longitudinal axis of the cavity is substantially perpendicular to the longitudinal axis of the receptacle body.

138. (Original) The device of claim 111, wherein the device is configured such that flow of a product from the reservoir into the cavity is along a direction that is substantially perpendicular to an axis about which the support element is configured to pivot during movement of the support element between the first position and the second position.

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139. (Original) The device of claim 111, wherein a longitudinal axis of the application element is substantially parallel to a longitudinal axis of the receptacle body when the support element is in the second position.

140. (Original) The device of claim 111, wherein a longitudinal axis of the application element forms a non-zero angle with a longitudinal axis of the receptacle body when the support element is in the second position.

141. (Original) The device of claim 111, wherein the support element is configured to pivot through an angle of at least approximately 210 degrees when the support element is moved from the first position to the second position.

142. (Original) The device of claim 111, wherein the cavity is defined at least partially by a wall defining at least one opening.

143. (Original) The device of claim 142, wherein the at least one opening provides the flow communication between the cavity and the reservoir.

144. (Original) The device of claim 142, wherein the at least one opening comprises a plurality of openings.

145. (Original) The device of claim 142, wherein the at least one opening comprises at least one capillary opening.

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146. (Original) The device of claim 145, wherein the application element is compressible and the device is configured such that product flows through the at least one opening during expansion of the application element from a compressed configuration to an uncompressed configuration when the support element moves from the first position to the second position.

147. (Original) The device of claim 111, further comprising a product in the reservoir.

148. (Original) The device of claim 147, wherein the product is chosen from a cosmetic product and a care product.

149. (Original) The device of claim 116, wherein the support element is configured to pivot over an angle of at least approximately 120 degrees.

150. (Original) The device of claim 111, further comprising ahead portion associated with the receptacle body, the head portion defining the cavity.

151. (Original) The device of claim 150, wherein the head portion defines an internal passage configured to place the cavity in flow communication with the reservoir.

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152. (Original) The device of claim 150, wherein the receptacle body comprises a neck portion and the head portion is configured to engage with a neck portion.

153. (Original) The device of claim 150, wherein the head portion and the receptacle body are formed as a single piece.

154. (Original) The device of claim 150, wherein the head portion is removably attached to the receptacle body.

155. (Original) A method of applying a product to a surface, the method comprising:

a, providing the device of claim 111;

flowing a product toward the cavity to place the product in contact with at least a portion of the application element positioned in the cavity so as to load said at least a portion of the application element with the product;

placing the support element in the second position; and

placing at least the loaded portion of the application element in contact with a surface so as to apply product to the surface.

156. (Original) The method of claim 155, wherein the placing of the support element in the second position comprises pivoting the support element relative to the receptacle body.

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157. (Original) The method of claim 155, wherein the placing the application element in contact with the surface comprises holding the receptacle body.

158. (Original) The method of claim 155, wherein the placing of the support element in the second position comprises securing the support element in the second position.

159. (Original) The method of claim 155, wherein the flowing of the product toward the cavity comprises exerting pressure on an outside of the receptacle body.

A,  
160. (Original) The method of claim 155, wherein the application element is compressible and the flowing of the product toward the cavity comprises permitting the application element to expand from a compressed configuration to an uncompressed configuration.

161. (Original) The method of claim 155, further comprising placing the support element in the first position after the product has been applied to the surface.

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162. (Original) The method of claim 161, wherein the placing of the support element in the first position comprises securing the support element in the first position.

163. (Original) The method of claim 162, wherein the securing of the support element in the first position comprises snap-fastening the support element relative to the receptacle body.

164. (Original) The method of claim 155, wherein the flowing of the product toward the cavity comprises flowing the product through at least one opening defined in a wall defining the cavity.

a 165. (Original) The method of claim 155, wherein the product is chosen from a cosmetic product and a care product.

166. (Original) The method of claim 155, wherein the placing of the application element in contact with the surface comprises placing the application element in contact with at least one of skin, hair, at least one toenail, and at least one fingernail.

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